

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE~~HG~~

In re Application of: SCHROFF, Robert W.

Serial No.: 10/523,311

Art Unit: not yet assigned

Filed: January 27, 2005

Examiner: not yet assigned

Entitled:
USE OF CHYMASE INHIBITORS FOR
THE PREVENTION AND/OR
TREATMENT OF ARTERIO-VENOUS
GRAFT FAILURE

Attorney Docket No.: 125P/PCT/US

Mail Stop PCT
 Commissioner for Patents
 P.O. Box 1450
 Alexandria, Virginia 22313-1450

TRANSMITTAL LETTER

Sir:

Transmitted herewith are: [X] a Response to Notification of Missing Requirements (2 pages); [X] an executed Combined Declaration/Power of Attorney (3 pages); [X] a copy of the Notification of Missing Requirements under 35 USC 371 (2 pages); [X] a check in the amount of \$130.00 (check no. 6527); and [X] a return receipt post card, for filing in the above-identified patent application.

FEE FOR ADDITIONAL CLAIMS

[X] A fee for additional claims is not required.

[] A fee for additional claims is required. The additional fee has been calculated as shown below:

	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NUMBER PREVIOUSLY PAID FOR	NUMBER OF EXCESS CLAIMS	RATE	FEES DUE
TOTAL CLAIMS	--	--	0	× \$50	= 18.00
INDEPENDENT	--	--	0	× \$200	= 0.00
FIRST INTRODUCTION OF MULTIPLE DEPENDENT CLAIM			+ \$360	= 0.00	
TOTAL FEES DUE				=	0.00

[] Small entity status has already been established for Applicant(s) in this case.

PAYMENT OF ADDITIONAL FEES

[X] A check including the amount of \$ 130.00 in payment of the late declaration surcharge under 37 CFR §1.16(e) is transmitted herewith.

[X] The Commissioner is hereby authorized to charge payment of any additional fees required under 37 CFR §1.16 or §1.17 in connection with the paper(s) transmitted herewith, or to credit any overpayment of same, to Deposit Account No. 50-0268. A duplicate copy of this transmittal letter is transmitted herewith.

PETITION FOR EXTENSION OF TIME

[] Extension is requested under 37 CFR 1.136(a), and the following extension fee is applicable for the paper(s) filed herewith: [] \$120.00 for response within first month pursuant to 37 CFR 1.17(a)(1);
[] \$450.00 for response within second month pursuant to 37 CFR 1.17(a)(2);
[] \$1020.00 for response within third month pursuant to 37 CFR 1.17(a)(3);
[] \$1590.00 for response within fourth month pursuant to 37 CFR 1.17(a)(4);
[] \$2160.00 for response within fifth month pursuant to 37 CFR 1.17(a)(5);

[] A check including the amount of \$ _____ in payment of the extension fee is transmitted herewith.

[X] The Commissioner is hereby authorized to charge payment of any additional fees required in connection with the paper(s) transmitted herewith, or to credit any overpayment of same, to Deposit Account No. 50-0268. A duplicate copy of this transmittal letter is transmitted herewith.

Respectfully submitted,

Leon R. Yankwich, Reg. No. 30,237
Michael R. Wesolowski, Reg. No. 50,944
Attorneys for Applicant
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telecopier: 617-374-0055

09/06/2005 GFREY1 00000128 10523311
01 FC:1617 130.00 OP

CERTIFICATE OF MAILING

I hereby certify that the correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date indicated below.

August 29, 2005

Date

Nasim G. Memon

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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Alexandria, Virginia 22313-1450

RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS

Sir:

In response to a Notification of Missing Requirements under 35 U.S.C. §371, mailed July 11, 2005, Applicant submits herewith an executed declaration in compliance with 37 C.F.R. §1.497(a) and (b).

A check for the amount of \$130.00 (Check No. 6527) is enclosed to cover the surcharge of \$130.00 for providing the oath and declaration later than 30 months from the priority date under 37 C.F.R. § 1.492(e).

The Commissioner is specifically authorized to charge any additional fees deemed to be necessary in connection with the filing of this paper or any of the accompanying papers, or to charge other fees necessary to complete this U.S. filing to Deposit Account 50-0268.

Executed Declaration/Power of Attorney

As requested in the Notification of Missing Requirements, Applicant submits herewith a combined declaration/power of attorney, executed by inventor Robert W. SCHROFF. Entry of the executed combined Declaration/Power of Attorney is respectfully requested.

Entry of the accompanying papers and examination on the merits are respectfully requested.

Respectfully submitted,



Leon R. Yankwich, Reg. No. 30,237
Michael R. Wesolowski, Reg. No. 50,944
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CERTIFICATE OF MAILING

I hereby certify that the correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: **Mail Stop PCT**, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date indicated below.

August 29, 2005
date


Nasim G. Memon



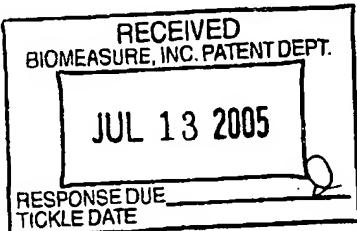
UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
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→HRW
→NBM

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/523,311	Robert W Schloff	125P/PCT/US

Brian R Morrill
Biomeasure Incorporated
27 Maple Street
Milford, MA 01757



INTERNATIONAL APPLICATION NO.	
PCT/US03/23456	

I.A. FILING DATE	PRIORITY DATE
07/29/2003	07/30/2002

CONFIRMATION NO. 7944
371 FORMALITIES LETTER



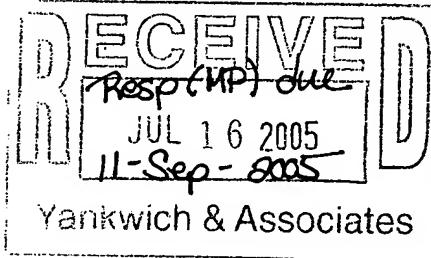
OC000000016489899

Date Mailed: 07/11/2005

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 01/27/2005
- Copy of the International Search Report filed on 01/27/2005
- Copy of IPE Report filed on 01/27/2005
- Preliminary Amendments filed on 01/27/2005
- Oath or Declaration filed on 01/27/2005
- Request for Immediate Examination filed on 01/27/2005
- U.S. Basic National Fees filed on 01/27/2005



The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
 - is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.
- \$130 Surcharge for providing the oath or declaration later than 30 months from the priority date (37 CFR 1.492(e)) is required.

SUMMARY OF FEES DUE:

Total additional fees required for this application is \$130 for a Large Entity:

- \$130 Late oath or declaration Surcharge.

cc: YANKWICH RE: NO. 2
BIO 625.0PUS

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN 10 (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

A copy of this notice **MUST** be returned with the response.

INDIA L EVANS

Telephone: (703) 308-9140 EXT 212

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/523,311	PCT/US03/23456	12SP/PCT/US

FORM PCT/DO/EO/905 (371 Formalities Notice)